

# DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76)

Title of Invention	COMPOUNDS FOR MODULATION OF CHOLESTEROL TRANSPORT			
As the below named	inventor(s), I/we declare that:			
This declaration is d	rected to:			
	The attached application, or			
	Application No10/681,746, filed onOctober 8, 2003,			
	as amended on(if applicable);			
I/we believe that I/w sought;	e am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is			
	and understand the contents of the above-identified application, including the claims, as amended by any ally referred to above;			
material to patentab	e duty to disclose to the United States Patent and Trademark Office all information known to me/us to be lity as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which etween the filing date of the prior application and the national or PCT International filing date of the application.			
All statements made herein of my/own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.				
FULL NAME OF INV	mas L.F. Nieland			
Inventor one:	Citizen of: Netherlands			
Inventor two: Mor	ity Krieger			
	Citizen of: USA			
Inventor three: Tor	nas Kirchhausen			
Signature:	Citizen of: USA			
Inventor four:				
Signature:	Citizen of:			
	tors or a legal representative are being named onadditional form(s) attached hereto.			
(and by the USPTO to pro complete, including gather comments on the amount	on is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file cess) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 minute to greparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS			

TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



# DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76)

DEC 1 5 2003

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	Application No 10/681,746	, filed on October 8, 2003,	
	•	(if applicable);	
I/we believe that I/wo	e am/are the original and first inventor(s) of the su	ibject matter which is claimed and for which a patent is	
	and understand the contents of the above-identifie ally referred to above;	d application, including the claims, as amended by any	
material to patentab	oility as defined in 37 CFR 1.56, including for conti- netween the filing date of the prior application an	Trademark Office all information known to me/us to be inuation-in-part applications, material information which ad the national or PCT International filing date of the	
to be true, and furth	her that these statements were made with the kn or imprisonment, or both, under 18 U.S.C. 1001, ar	ents made herein on information and belief are believed nowledge that willful false statements and the like are nd may jeopardize the validity of the application or any	
FULL NAME OF INV	• •		
	omas J. F. Nieland		
Signature:	Citizen of:	Netherlands	
Inventor two:Mor	nty Krieger		
Signature: <u>ん</u> な	Citizen of:	USA	
Inventor three: Tor	nas Kirchhausen		
Signature:	Citizen of:	USA	
Inventor four:			
Signature:	Citizen of:		
Additional inver	ntors or a legal representative are being named on	additional form(s) attached hereto.	
This collection of informati (and by the USPTO to pro- complete, including gather comments on the amount U.S. Patent and Trademar	ion is required by 35 U.S.C. 115 and 37 CFR 1.63. The informati ocess) an application. Confidentiality is governed by 35 U.S.C. 1 ring, preparing, and submitting the completed application form to of time you require to complete this form and/or suggestions for	ion is required to obtain or retain a benefit by the public which is to file 122 and 37 CFR 1.14. This collection is estimated to take 1 minute to to the USPTO. Time will vary depending upon the individual case. Any reducing this burden, should be sent to the Chief Information Officer, dria, VA:22313-1450. DO NOT SEND FEES OR COMPLETED FORMS	

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PTO/SB/01A (08-03)
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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

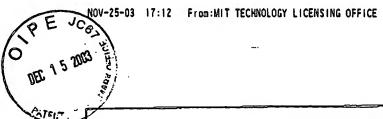
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## DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76)

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	The attached application, or			
•	Application No. 10/681,746	, filed onOctober 8, 2003,(if applicable);		
· · · · · ·	as amended on	(if applicable);		
I/we believe that I/we sought;	e am/are the original and first inventor(s) of the sul	bject matter which is claimed and for which a patent is		
	and understand the contents of the above-identified ally referred to above;	d application, including the claims, as amended by any		
I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.				
All statements made herein of my/own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.				
FULL NAME OF INV	ENTOR(S)			
	mas J. F. Nieland			
Signature:	Citizen of:	Netherlands		
Inventor two: Mor	nty Krieger			
Signature:	Citizen of:	USA		
Inventor three:TOTIAS   California useri				
Signature:	Citizen of:	USA		
Inventor four:	W			
Signature:	Citizen of:	·		
	tors or a legal representative are being named on	additional form(s) attached hereto.		

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 minute to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



STATEMENT UND	R 37 CFR 3.73(b)
Applicant/Patent Owner: Thomas J.F. Nieland, Monty Kr	ieger, and Tomas Kirchhausen
Application No./Patent No.: 10/681,746 Filed/Issu	
Compounds For Modulation of Cholesterol	
Massachusetts Institute of Technology a con	
(Name of Assignee) (Type of	-Авадлов, в.д., согрозовог, раниствин, описания, дреспинан аденсу, со.,
states that it is:  1.  The assignee of a joint, undivided interest; or	,
<ol> <li>O - en assignee of less than the entire right, title and interest         The extent (by percentage) of its ownership interest is — in the patent application/patent identified above by virtue of eith     </li> </ol>	<del></del> %
A. [-] An assignment from the inventor(s) of the patent applical in the United States Patent and Trademark Office at Reel attached.	ion/patent identified above. The assignment was recorded, Frame, or for which a copy thereof is
OR-	
B[-] A chain of title from the inventor(s), of the patent applications:	on/patent identified above, to the current assignee as shown
From:     The document was recorded in the United States     Reel, Frame	Patent and Tredemark Office at
2 5	n:
The document was recorded in the United States Reel Frame	Patent and Trademark Office at, or for which a copy thereof is attached.
3. From:T	o:
The document was recorded in the United States  Recl, Frame	Patent and Trademark Office at or for which a copy thereof is attached.
[ ] Additional documents in the chain of title are liste	
[ ] Copies of assignments or other documents in the chain of [NOTE: A separate copy (i.e., the original assignment document be submitted to Assignment Division in accordance recorded in the records of the USPTO. See MPEP 302.08	ument or a true copy of the original document) with 37 CFR Part 3, if the assignment is to be
The undersigned (whose title is supplied below) is authorized	to act on behalf of the assignee.
- Critique 28, 2003	Pdo H Tupous
	Typed or printed name
(617) 253-6966	Man telegodores
Telephone number	Signature
	Title

#### ASSIGNMENT

I, Monty Krieger of 33 Woodbine Circle, Needham, Massachusetts 02494, in consideration of ten dollars and other valuable consideration paid to me by Massachusetts Institute of Technology, a corporation of the Commonwealth of Massachusetts, having its principal place of business at 77 Massachusetts Avenue, Cambridge, Massachusetts 02139 (hereinafter "said Assignce"), the receipt of which is hereby acknowledged, do hereby sell, assign and transfer unto said Assignee, its successors and assigns, a joint and undivided interest for the United States of America, and its territories and all foreign countries and jurisdictions, including all rights of priority under the International Convention for the Protection of Industrial Property, in a certain invention or improvement in "Compounds for Modulation of Cholesterol Transport" described in U.S. Serial No. 10/681,746 filed in the United States Patent and Trademark Office on October 8, 2003, by Thomas J.F. Nieland, Monty Krieger, and Tomas Kirchhausen, and in the provisional application to which priority is claimed, being U.S. Provisional Application Serial No. 60/417,083 filed in the United States Patent and Trademark Office on October 8, 2002, and in all Letters Patent of the United States and its territories and all föreign countries and jurisdictions which may or shall be granted on said invention, or any parts thereof, or on said application, or any provisional, divisional, continuation, continuation-in-part, reissue, or other applications based in whole or in part thereon. And I agree, for myself and my executor and administrator, with said-Assignee and its successors and assigns, but at its or their expense or charges, hereafter to execute all applications, amended specifications, deeds or other instruments, and to do all acts necessary or proper to secure the grant of Letters Patent in the United States and its territories and in all other foreign countries and jurisdictions to said Assignee, with specifications and claims in such form as shall be approved by the counsel of said Assignee, and to vest and confirm in said Assignee, its successors and assigns, the legal title to all such patents.

Title: "Compounds for Modulation of Cholesterol Transport"
By: Thomas J.F. Nicland; Monty Krieger, and Tomas Kirchhausen
Filed: October 8, 2003 ASSIGNMENT

And I do hereby authorize and request the Commissioner of Patents and

	the United States to issu- pplications based thereo		shall be granted upon said ccessors and assigns.
WITNES	S my hand and seal this	<u>30</u> day of <u>0</u>	taber , 2003
		Kitk	Weys.  Monty Krieger
Commonwealth	of Massachusetts	, 0.	
County of Mr.		)	
Then per	sonally appeared the abo	ove named Monty Kriego	er and acknowledged the
	ment to be his free act ar		
Uchaker_	, 2003.	_	
		(harea)	& Barry
	•	/N	otary Public
My Commission	expires: augus	1 30, 2007	ANDREA E BARRY  Notary Public  My Commission Expires

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PTO/SB/81 (06-03)

Approved for use through 11/30/2005. OMB 0651-0035 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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## **POWER OF ATTORNEY** and **CORRESPONDENCE ADDRESS INDICATION FORM**

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Application Number	10/681,746
Filing Date	October 8, 2003
First Named Inventor	Thomas J.F. Nieland
Title Compo	ounds for Modulation of Cholesterol Transport
Art Unit	
Examiner Name	
Attorney Docket Number	MIT 9952

I hereby appoint:			<del></del> -		
Practitioners at Customer Number:	23579				
OR					
Practitioner(s) named below:					6
Name			Registration I	Number	1
Patrea L. Pabst	3	1,284			
Rivka D. Monheit	4:	48,731			
Todd S. Hofmeister	5	3,029	· · · · · · · · · · · · · · · · · · ·		
		<del></del>			
as my/our attorney(s) or agent(s) to prosect Trademark Office connected therewith.	ite the application identified abo	ove, and to tra	nsact all business i	in the Un	ited States Patent and
Please recognize or change the correspond  The above-mentioned Customer N		ntified applica	ation to:		
OR					
l — ***		23579			
The address associated with Cust	omer Number:	23313			
OR ,					
Firm or Individual Name Patrea L.	Pabst; Holland & Knigh	nt LLP			
	Suite 2000, One Atlantic Center				
<u></u>	st Peachtree Street, N.E.				
City Atlanta		State	GA	Zip	30309-3400
Country USA		I = I	(10.1) 0.1 = 0.500		
Telephone (404) 81	7-8473	Fax	(404) 817-8588	8	
I am the: Applicant/Inventor.					
Assignee of record of the entire int Statement under 37 CFR 3.73(b) is					
, ,	SIGNATURE of Applicant or	Assignee of	f Record	<u> </u>	
Name //Geoffcom	J. Schmidt				
Signature Straffier Schmidt					
Date December 2, 2003 Telephone 617-278-3356					
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.					
*Total of forms are su	bmitted.				

This collection of information is required by 37 CFR 1.31 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/81 (06-03)
Approved for use through 11/30/2005. OMB 0651-0035
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### POWER OF ATTORNEY and CORRESPONDENCE ADDRESS INDICATION FORM

Application Number	10/681,746
Filling Date	October 8, 2003
First Namod Inventor	. Thomas J.F. Nieland
Yitie Comp	ounds for Modulation of Cholesterol Transport
Art Unit	
Examiner Namo	
Atturney Docket Number	MIT 9952

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I hereby appoint			¬ ~ ~		
Practitioners at Customer Nu	mber: 2357	23579			
OR					ļ
Practitioner(s) named below:					,
	Name		Registration No	umber	
Patrea L. Pabst	· · · · · · · · · · · · · · · · · · ·	31,284			
Rivka D. Monheit		48,731			<u> </u>
Todd S. Hofmeister		53,029			
<u> </u>					]
as my/our attorney(s) or agent(s) to Trademark Office connected there	prosecute the application identifie	d above, and to trai	nsact all business in	n the United States Patent an	ıd
-Please recognize or change the co	rrespondence address for the above	ve-identified applica	tion to:		
OR The address associated OR	with Customer Number:	23579			
Firm or Individual Name	Patrea L. Pabst; Holland &	Knight LLP			
Address :	Suite 2000, One Atlantic Conte	r			
Address	1201 West Peachtree Street, N	.E		77- 1 20200 2400	
City	Atlanta	State	GA.	Zip 30309-3400	
Country	USA		1 110 11 110 000		
Telephone -	(404) 817-8473-	Fex	(404) 817-858	8	
Applicant/Inventor:  Applicant/Inventor:  Assignee of record of the Statement under 37 CF	o entire interest. See 37 CFR 3.71 R-3.73(b) is enclosed. (Form P.TO/.	20/30/			
	SIGNATURE of Appli	cent or Assignee	of Record		
Name Pitch =	Thounds				
Signature (17) 453 (966					
Date Godda &	28 -200-3				
NOTE: Signatures of all the inventors forms if more than one signature is re	or assignees of record of the entire integrated, see below.	erest or their represent	ative(s) are required.	Submit multiple	
	orms are submitted.				

This collection of information is required by 37 CFR 1.31 and 1.33. The information is required to obtain or retain a bonafit by the public which is to fite (and by the USPTO to process) an application. Canfidontiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete. USPTO to process) an application. Canfidontiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete. Including gathering, preparing, and submitting the completed application form to the USPTO. Time will very depending upon the individual case. Any comments including gathering, preparing, and submitting the complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S.-Patent on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S.-Patent on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S.-Patent on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer. U.S.-Patent on the amount of time you require to complete this formation. The amount of the chief this public which is to find you require to complete.



STATEMENT UNDER 37 CFR 3.73(b)
Applicant/Patent Owner: Thomas J.F. Nieland, Monty Krieger, and Tomas Kirchhausen
Application No./Patent No.: 10/681,746 Filed/Issue Date: October 8, 2003
Entitled: Compounds For Modulation of Cholesterol Transport
Center for Blood Research, Inc., a nonprofit corporation of the Commonwealth of Massachusetts (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)
states that it is:  1.   1.   1.   1.   1.   1.   1.   1.
2.  an assignee of less than the entire right, title and interest. The extent (by percentage) of its ownership interest is ——————————————————————————————————
A. [v] An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel, Frame, or for which a copy thereof is attached.
OR
B. [ ] A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:
1. From: To: To: The document was recorded in the United States Patent and Trademark Office at Reel, Frame, or for which a copy thereof is attached.
2. From: To: To: To: The document was recorded in the United States Patent and Trademark Office at
Reel, Frame, or for which a copy thereof is attached.
3. From:To:To:The document was recorded in the United States Patent and Trademark Office at Reel, Frame, or for which a copy thereof is attached.
[ ] Additional documents in the chain of title are listed on a supplemental sheet.
[ ] Copies of assignments or other documents in the chain of title are attached. [NOTE: A separate copy ( <i>i.e.</i> , the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]
The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.
December 2, 2003 Geoffrey J. Schmidt
Date Styped or printed pame
Telephone number Signature
Director OTTL

#### ASSIGNMENT

We, Thomas J.F. Nieland of 32 Lincoln Parkway, Apartment #3, Somerville, Massachusetts 02143, and Tomas Kirchhausen of 19R Sparhawk Street, Brighton, Massachusetts 02135, in consideration of ten dollars and other valuable consideration paid to us by Center for Blood Research, Inc., a non-profit corporation of the Commonwealth of Massachusetts, having its principal place of business at 800 Huntington Avenue, Boston, Massachusetts 02115 (hereinafter "said Assignee"), the receipt of which is hereby acknowledged, do hereby sell, assign and transfer unto said Assignee, its successors and assigms, a joint and undivided interest for the United States of America, and its territories and all foreign countries and jurisdictions, including all rights of priority under the International Convention for the Protection of Industrial Property, in a certain invention or improvement in "Compounds for Modulation of Cholesterol Transport" described in U.S. Serial No. 10/681,746 filed in the United States Patent and Trademark Office on October 8, 2003, by Thomas J.F. Nieland, Monty Krieger, and Tomas Kirchhausen, and in the provisional application to which priority is claimed, being U.S. Provisional Application Serial No. 60/417,083 filed in the United States Patent and Trademark Office on October 8, 2002, and in all Letters Patent of the United States and its territories and all foreign countries and jurisdictions which may or shall be granted on said invention, or any parts thereof, or on said application, or any provisional, divisional, continuation, continuation-in-part, reissue, or other applications based in whole or in part thereon. And we agree, for ourselves and our executors and administrators, with said Assignee and its successors and assigns, but at its or their expense or charges, hereafter to execute all applications, amended specifications, deeds or other instruments, and to do all acts necessary or proper to secure the grant of Letters Patent in the United States and its territories and in all other foreign countries and jurisdictions to said Assignee, with specifications and claims in such form as shall be approved by the counsel of said Assignee, and to vest and confirm in said Assignee, its successors and assigns, the legal title to all such patents.

Title: "Compounds for Modulation of Cholesterol Transport"
By: Thomas J.F. Nieland, Monty Krieger, and Tomas Kirchhausen
Eiled: October 8, 2003
ASSIGNMENT

And we do hereby authorize and request the Commissioner of Patents and Trademarks of the United States to issue such Letters Patent as shall be granted upon said application or applications based thereon to said Assignee, its successors and assigns.

siblingstion of siblingstions based thereon to send i	avong many and described the state of the st
WITNESS my hand and seal this 2nd	day of December, 2003.
·	Thomas J.F. Nicland
•	
Commonwealth of Massachusetts	)
County of Suffalk	<b>)</b>
Then personally appeared the above name	d Thomas J.F. Nicland and acknowledged
the foregoing instrument to be his free act and dec	ed, before me this 2nd day of
December, 2003.	
•	Lactelle a Losenham
	Notary Public
My Commission expires: WAY 7, 2004	

2

Title: "Compounds for Modulation of Cholesterol Transport"
By: Thomas J.F. Nieland, Monty Krieger, and Tomas Kirchhausen
Filed: October 8, 2003
ASSIGNMENT

	F
WITNESS my hand and seal this 2nd	day of Oecember, 2003.
	Turnas Kirchhausen
Commonwealth of Massachusetts	)
County of Suffolk	<u>)</u>
Then personally appeared the above nam	ned Tomas Kirchhausen and acknowledged reed, before me this <u>and</u> day of
December, 2003.	
	Rachelle a Rosentiano
	Notary Public
My Commission expires:MAY 7, 2004	IRES.